

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.07.2017

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.16713 of 2017 &
WMP No.18088 of 2017

A.M.Rajasekaran [PETITIONER]
Force No.981161069 CT/ DVR

-VS

- 1 The Inspector General of Police (Personnel)
Office of Directorate General
Central Reserve Police Force
Block No.1 CGO Complex
Lodhi Road , New Delhi-110 003
- 2 The Deputy Inspector General Of Police (Establishment)
Office of Directorate General
Central Reserve Police
Force Block No.1 CGO Complex
Lodhi Road, New Delhi-110 003
- 3 The Deputy Inspector General/ Principal
Recruit Training Centre, Group Centre
Central Reserve Police Force
Avadi, Chennai-600 065.

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, to direct the Respondents to rehabilitate the petitioner by providing lighter duty at Recruit Training Centre (RTC) Group Centre Avadi Chennai so as to enable him to avail specialist medical treatment as enumerated in the Central Reserve Police Force Standing Order No.04/2011 dated 27.07.2011

For Petitioner : Mr.J.Lakshmi Narayanan

For Respondents : Mr.K.Srinivasamurthy

ORDER

Though the writ petition is filed for a larger relief, the learned counsel for the writ petitioner submitted that as the writ petitioner has undergone a surgery viz. 'Double valve replacement' at MIOT Hospital, Chennai on 14th June, 2013, he is not fit for performing heavy works. In this regard, the learned counsel further submitted that the writ petitioner is to be provided with light duty at the Recruitment Training Centre at Avadi and Standing Orders also provides for posting the writ petitioner in the light duty.

2.The learned counsel for the respondents states that no doubt the petitioner's representation to post him in a light duty will be considered, but, not at the place of his choice. Thus, only providing of light duty is covered under the Standing Orders, but, not the post or place. Therefore, the claim of the writ petitioner will be considered in terms of the Standing Orders issued in this regard, by the respondents.

3. In this view of the matter, it is for the respondents to consider all these aspects, taking into account the nature of medical treatment and the surgery undergone by the writ petitioner and provide the relief to the extent possible.

4. Accordingly, this Court is inclined to direct the first respondent to consider the representation submitted by the writ petitioner on 5th July, 2017 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Till any such a decision is taken or an order is passed, the petitioner need not be relieved from the present post. The petitioner is directed to enclose the copy of the representation dated 5th July 2017 along with the order passed today in this Writ Petition.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

18.07.2017

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S.M.SUBRAMANIAM, J.

rpa

To

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